



**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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A.O. SMITH ELECTRICAL PRODUCTS CO., :

Plaintiff, :

- against - :

M/V XIN CHONG QING, KUEHNE + NAGEL :  
INC., KUEHNE + NAGEL LTD., BLUE :  
ANCHOR LINE and CHINA SHIPPING :  
CONTAINER LINES CO., LTD. :

Defendants. :  
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09 Civ. 7681 (RMB) (AJP)

**ORDER**

By Order dated September 11, 2009, the Court directed the parties to submit a letter by noon on September 18, 2009 setting forth the reasons, if any, why this action should not be transferred to the United States District Court for the District of New Jersey pursuant to 28 U.S.C. § 1404(a), based upon allegations in the Complaint that Plaintiff A.O. Smith Electrical Products Company “was and is a corporation organized and existing by virtue of the laws of a foreign state with an office and place of business located at 531 North Fourth Street, Tipp City, Ohio 45371”; Defendant Kuehne + Nagel Inc. “was and is a corporation organized and existing by virtue of the laws of New York with an office and place of business located at 10 Exchange Plaza, 19<sup>th</sup> Floor, Jersey City, New Jersey 07302”; Defendant Kuehne + Nagel Ltd. “was and is a corporation organized and existing by virtue of the laws of a foreign state with an office and place of business located at 10 Exchange Plaza, 19<sup>th</sup> Floor, Jersey City, New Jersey 07302”; Defendant China Shipping Container Lines Co., Ltd. “was and is a corporation organized and existing by virtue of the laws of a foreign state with an office and place of business located at 450, Fushan lu, Pudong Xinqu, Shanghai, People’s Republic of China, and with an US office located at 11 Philips Parkway, Montvale, New Jersey 07645”; and “on or about November 24,

2008, a consignment of five containers of electric motors . . . then being in good order and condition, was delivered to the M/V XIN CHONG QUING and to China Shipping and/or their agents at the port of Shanghai, China for transportation to Houston, Texas” and that “[u]pon discharge, it was discovered that the consignment was not in the same order and condition as when received by the defendants.”

The parties having failed to respond by September 18, 2009, it is hereby

**ORDERED** that in accordance with the Order of the Court dated September 11, 2009, the Clerk of Court is directed to transfer this case to the United States District Court for the District of New Jersey pursuant to 28 U.S.C. § 1404(a) and to close this case on the Court’s docket.

**SO ORDERED.**

Dated: New York, New York  
September 22, 2009

  
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**RICHARD M. BERMAN, U.S.D.J.**